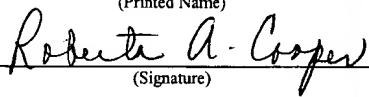




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schaeffer et al.
Title: METHOD OF MAKING A BATTERY
Appl. No.: 09/898,660
Filing Date: 07/02/2001
Examiner: Dah-Wei D. Yuan
Art Unit: 1745
Confirmation No.: 5042
Atty. Dkt. No.: 054821-0116

CERTIFICATE OF EXPRESS MAILING	
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EV 459163251 US	03/22/05
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Notice of Allowance dated December 27, 2004 concerning the above-referenced patent application.

The Examiner stated the following:

The invention of independent claim 41 recites a method of making a battery comprising forming a strip of interconnected grids from a grid material, applying paste to the strip, cutting the strip to form a plurality of plates, wherein modifying at least one of the wires comprises rotating at least a portion of the wire at the position intermediate the opposed ends of the wire. The closest prior art of record, Wirtz et al. and Misra et al., does not disclose or suggest a step of rotating at least a portion of the wire at the position intermediate the opposed ends of the wire as stated in the claim. The invention of independent claim 44 recites a method of making a battery comprising forming a strip of interconnected grids from a grid material, forming at least a portion of the grid of the grid elements, applying paste to the strip, cutting the strip to form a

plurality of plates, wherein forming at least a portion of the grid elements comprises stamping the grid element, wherein a first transverse cross-section substantially has a shape selected from the group comprising diamond, oval, rhomboid, hexagon, and octagon and wherein the network and each of the frames define opposed substantially planar surfaces, and each first transverse cross-section does not extend beyond the planar surfaces. The closest prior art of record, Wirtz et al., and Misra et al., does not teach or suggest the first transverse cross-section does not extend beyond the planar surfaces of the frames in the battery grid as stated in the claim. The invention of independent claim 45 recites a method of making a battery comprising forming a strip of interconnected grids from a grid material, forming at least a portion of the grid of the grid elements, applying paste to the strip, cutting the strip to form a plurality of plates, wherein the network and each of the frames define opposed substantially planar surfaces, and each second transverse cross-section does not extend beyond the planar surfaces. The closest prior art of record, Wirtz et al. and Misra et al., does not teach or suggest the second transverse cross-section does not extend beyond the planar surfaces of the frames in the battery grid as stated in the claim. The invention of independent claim 46 recites a method of making a battery comprising forming a strip of interconnected grids from a grid material, modifying at least one of the wires at the position intermediate the opposed ends of the wire, applying paste to the strip, cutting the strip to form a plurality of plates, wherein forming the strip of interconnected grids from a grid material comprises feeding a continuous strip of the grid material along a linear path aligned with the longitudinal direction of the strip and punching grid material out of the strip to form the strip of interconnected grids. The closest prior art of record, Wirtz et al. and Misra et al., does not disclose or suggest feeding a continuous strip of the grid material along a linear path aligned with the longitudinal direction of the strip and punching grid material out of the strip to form the strip of interconnected grids as stated in the claim. The invention of independent claim 49 recites a method of making a battery comprising forming a strip of interconnected grids from a grid material, modifying at least one of the wires at the position intermediate the opposed ends of the wire, applying paste to the strip, cutting the strip to form a plurality of plates, wherein forming the strip of interconnected grids from a grid material comprises feeding a continuous strip of the grid material along a linear path aligned with the longitudinal direction of the strip, piecing apertures in the strip of grid material and laterally expanding the strip of grid material. The closest prior art of record, Wirtz et al., and Misra et al., does not disclose or suggest

feeding a continuous strip of the grid material along a linear path aligned with the longitudinal direction of the strip, piercing apertures in the strip of the grid material and laterally expanding the strip of grid material to form the strip of interconnected grids as stated in the claim.

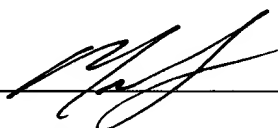
While the Applicants agree that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the Applicants note that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

REMARKS

These Comments on Statement of Reasons for Allowance under 37 C.F.R. § 1.104 are intended to be responsive to the Notice of Allowance dated December 27, 2004.

Respectfully submitted,

Date 3/22/2005

By 

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5564
Facsimile: (414) 297-4900

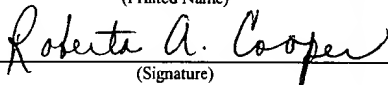
Marcus W. Sprow
Attorney for Applicant
Registration No. 48,580



Application Serial No. 09/967,886

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schaeffer et al.
Title: METHOD OF MAKING A BATTERY
Appl. No.: 09/898,660
Filing Date: 07/02/2001
Examiner: Dah-Wei D. Yuan
Art Unit: 1745
Confirmation No.: 5042
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Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

TRANSMITTAL

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following:

- ☒ [X] Issue Fee Transmittal (1 page).
- ☒ [X] Form PTOL-85(B) (1 page).
- ☒ [X] Comments on Statement of Reasons for Allowance (3 pages).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.18, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicted below.

Respectfully submitted,

Date 3/22/2005

By 

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5564
Facsimile: (414) 297-4900

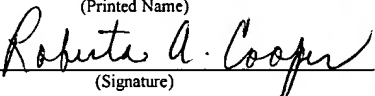
Marcus W. Sprow
Attorney for Applicant
Registration No. 48,580



Application Serial No. 09/898,660

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(Signature)	

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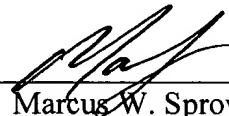
Sir:

Enclosed herewith please find Issue Fee Transmittal Form PTOL-85(B) along with a check in the amount of \$1,700.00 for payment of the Issue Fee and the Publication Fee.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.18, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 3/22/2005
FOLEY & LARDNER LLP
777 E. Wisconsin Avenue
Milwaukee, Wisconsin 53202
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By: 
Marcus W. Sprow
Attorney for Applicant
Registration No. 48,580